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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,097	11/14/2003	Scott C. Harris	BARCODE-D1	9523
23844	7590	11/02/2004	EXAMINER WALSH, DANIEL I	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			ART UNIT 2876	PAPER NUMBER

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,097

Applicant(s)

HARRIS, SCOTT C.

Examiner

Daniel I Walsh

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 12 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 17-31 and 38-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Receipt is acknowledged of the Amendment and Declaration received on 12 August 2004.

Declaration

2. The Declaration filed on 12 August 2004 under 37 CFR 1.131 has been considered but is ineffective to overcome the Swartz et al. reference.

The evidence submitted is insufficient to establish a conception of the invention prior to the effective date of the Swartz et al reference. While conception is the mental part of the inventive act, it must be capable of proof, such as by demonstrative evidence or by a complete disclosure to another. Conception is more than a vague idea of how to solve a problem. The requisite means themselves and their interaction must also be comprehended. See *Mergenthaler v. Scudder*, 1897 C.D. 724, 81 O.G. 1417 (D.C. Cir. 1897). By only submitting three (3) pages of a specification, conception of the invention is not established as there is not evidence of the inventive act being claimed.

The evidence submitted is insufficient to establish diligence from a date prior to the date of reduction to practice of the Swartz et al. reference to either a constructive reduction to practice or an actual reduction to practice. The Applicant does not address the issue of diligence in the declaration of 12 August 2004 at all. The Examiner will not speculate on the issue of due diligence.

The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the Swartz et

al. reference. The Applicant has only submitted three (3) pages of a specification, and accordingly has not established reduction to practice.

The Examiner maintains his rejection of claims 17-31 and 38-43 in light of the deficiencies of the Declaration, but also provides a new rejection of the claims, to additional expedite prosecution.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 17-18 and 24 are rejected under 35 U.S.C. 102(a) as being anticipated by Swartz et al. (US 6,655,597).

Re claim 17, Swartz et al. teaches forming a communication; forming a bar code as part of the communication, the bar code including scannable information, which when scanned, forms information that is supplemental to the communication through “A particular implementation of the present invention allows the consumer to subsequently download the information stored in the reader pen 90 in a manner described in more detail below. In particular the information can be downloaded to a personal computer or other access point to a computer or data network. The downloaded information can then be used in various different manners. For example the product can be ordered or additional information concerning the product can be accessed. A particular implementation proposed under the present invention is that the bar code symbol accompanying the advertisement contains sufficient information for the personal

computer or access point to the computer network to access a site on the Internet (or comparable data storage system). This site can contain additional information concerning the advertised product, information concerning related products, price information, cross-references to further related sites, and the capability of ordering and paying for the product. This greatly simplifies the purchasing process and also ensures that the consumer does not forget a product which has caught his attention” (col 7, lines 41+). Re claim 18, it has been discussed above that the bar code provides additional information about the advertisement. Re claim 24, the barcode represents an address (website address) to additional information as discussed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al., as applied to claim 17 above, further in view of Spector (US 5,176,224).

The teachings of Swartz et al. have been discussed above.

Swartz et al. is silent to the barcode representing the time and place of some event, and entering the time and place into a computer doing the scanning.

Spector teaches such limitations (FIG. 3 and col 7, lines 61+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Swartz et al. with those of Spector.

One would have been motivated to do this in order to add date sensitivity to scanned barcode information, as date sensitivity is well known and conventional with coupons, and therefore is analogous art to advertisements, which often times can be time sensitive as well.

5. Claims 21-23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al., as applied to claim 17 above, further in view of Knowles (US 6,622,917).

The teachings of Swartz et al. have been discussed above.

Swartz et al. is silent to the communication being an email.

Knowles teaches forming a communication in the form of an email, that includes several barcodes that are printed out upon printing of the email, which when scanned forms information that is supplemental to the email, by providing the data/information physically located on the sites (pictures, text, details, etc) (col 4, lines 33+). Re claims 22-23, Swartz et al. teaches that several barcodes can be associated with an email (col 4, lines 23+). Though Swartz et al. is silent to making a decision about the contents of the email being an acceptance or a rejection, the Examiner broadly interprets the subsequent scanning of the user, of the emailed barcodes as a

form of acceptance (by scanning them), or a subsequent rejection by not scanning them.

Accordingly, upon acceptance, when the user is directed to the site, it is well known and obvious for the remote location to be notified of this (tracking) as such information is valuable, and can be done at the server or page level (both being remote; this is explained in detail below re claims 22-23).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Swartz et al. with those of Knowles.

One would have been motivated to do this in order to provide a communication in a well-known and conventional format (email) that allows users to access specific/details information off the Internet.

6. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al., as applied to claim 17 above.

The teachings of Swartz et al. have been discussed above.

Though Swartz et al. is silent to accessing a publicly available database to obtain additional information, the Examiner notes that it has been taught above that a barcode of an advertised item can be scanned and used to direct a user to a website for further information. Accordingly, it would have been well within the skill in the art to include a database linked to the code, such as a manufacturers website, that is accessed upon scanning of the barcode, to obtain further product information. Such modification would be obvious in order to provide additional data/information about a product, to a customer, where the data is stored in a conventional and easily accessible database format, which is commonly accessible via the Internet, for example.

7. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al., as applied to claim 17 above, further in view of Paul et al.

The teachings of Swartz et al. have been discussed above. The Examiner relies upon Swartz et al. to teach a barcode on a communication.

Swartz et al. is silent to the code containing an auxiliary code that is scanned to automatically take an action, though Swartz does teach automatically taking an action, as discussed above, by linking to the Internet.

Paul et al. teaches a barcode that includes primary and secondary coded information in the form of glyphs and linear barcode data (abstract). The examiner interprets this to include an auxiliary code, which is scanned to automatically take an action (i.e. extraction). The examiner also notes that it is well known and conventional in the art for scanning of a code to automatically take an action (Swartz et al. US 6,655,597). Re claim 28, Paul et al. teaches a dual type barcode with a first part that is interpreted by a first bar code scanning process to obtain first information and a second part which is interpreted by a second bar code scanning process to obtain second information that has more information than the first information (abstract). Re claim 29, it has been discussed above that the first part is a linear barcode and the second part is not, as it is a glyph which can include various types, (col 4, lines 56+). Further, the examiner notes that it is well known and obvious to use non-linear barcodes for secondary encoded information (see Williams US 5,920,062 and Oakeson et al. US 6,398,117, for examples).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Swartz et al. with those of Paul et al.

One would have been motivated to do this to encode more information in a barcode.

8. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al./Paul et al., further in view of Lemelson et al.

The teachings of Swartz et al./Paul et al have been discussed above.

Swartz et al./Paul et al. are silent to scanning in different directions.

Lemelson et al. teaches scanning in different directions (abstract).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Swartz et al./Paul et al. with those of Lemelson et al.

One would have been motivated to do this to provide a means to efficiently read out data, store a dense amount of data, and also be downwardly compatible.

9. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al./Paul et al., further in view of Kaufman et al.

The teachings of Swartz et al./Paul et al. have been discussed above.

Swartz et al./Paul et al. is silent to second information being obtained from a color/grayscale.

Kaufman et al. teaches color being used to store information in a barcode (claims 1-8+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Swartz et al./Paul et al. with those of Kaufman et al.

One would have been motivated to do this to have a barcode (colored) to provide robustness and reliability.

10. Claims 38-41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al.

The teachings of Swartz et al. have been discussed above, re claim 17, where a scanning of a barcode is used to access a website. Re claims 39-40, though Swartz is silent to a 2-D and

3-D barcode, the Examiner notes that such barcodes are well known and conventional for storing more data, and accordingly, their use is well within the skill in the art for encoding a greater amount of data, and therefore an obvious expedient (Knowles US 6,622,917 FIG. 8, for example). Re claim 41, it has been discussed above that it is well known and conventional for barcodes to include different parts that include different data. Accordingly, encoded website information in one of those parts is well within the skill in the art, in order to encode website information, for linking purposes, for example.

11. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Swartz et al., as applied to claim 38 above, further in view of Knowles.

The teachings of Swartz et al. have been discussed above.

Swartz et al. teaches a barcode associated with an advertisement, but is silent to receiving an email that includes an image of a barcode associate with an advertisement and decoding the image to form information.

Re claim 42, Knowles teaches receiving an email including barcodes, printing out the barcodes and decoding the barcodes to form information (col 4, lines 23+). This is broadly interpreted to including receiving representations/images of barcodes via email. Re claim 43, though Knowles is silent to the barcodes being associated with an advertisement, it is well known that advertisements can include decodable barcodes, as discussed above, for convenience. Therefore, such modification is an obvious expedient.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

12. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Paul et al.

Re claim 1, Paul et al. teaches scanning a bar code with a first scanner to obtain first information and scanning the bar code with a second scanner, different from the first scanner, to obtain second information different from the first information (abstract). Though Paul et al. is silent to the format of the barcode to be of a base-n (N is at least 80% capability of all digits) the Examiner notes that conventional 1-d barcodes such as UPC, meet such limitations. Accordingly, the use of UPC barcodes is an obvious expedient, since they are well known and widely accepted means of encoded barcode data.

13. Claims 17, 18, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al. (US 6,446,871).

Buckley et al. teaches forming a communication; forming a bar code as part of the communication, the bar code including scannable information, which when scanned, forms information that is supplemental to the communication (FIG. 5) where a user scans a barcode (from a periodical or advertisement that it is part of), and supplemental information is provided through the web address that is fetched.

14. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al., as applied to claim 17 above, further in view of Spector (US 5,176,224).

The teachings of Buckley et al. have been discussed above.

Buckley et al. is silent to the barcode representing the time and place of some event, and entering the time and place into a computer doing the scanning.

Spector teaches such limitations (FIG. 3 and col 7, lines 61+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Buckley et al. with those of Spector.

One would have been motivated to do this in order to add date sensitivity to scanned barcode information, as date sensitivity is well known and conventional with coupons, and therefore is analogous art to advertisements, which often times can be time sensitive as well.

15. Claims 21-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al., as applied to claim 17 above, further in view of Knowles (US 6,622,917).

The teachings of Buckley et al. have been discussed above. Re claims 25-26, Knowles teaches the limitations (col 4, lines 62+), where Knowles teaches using a computer which has scanned the bar code to access a public database with the address and to obtain additional information (via the Internet).

Buckley et al. is silent to the communication being an email.

Knowles teaches forming a communication in the form of an email, that includes several barcodes that are printed out upon printing of the email, which when scanned forms information that is supplemental to the email, by providing the data/information physically located on the sites (pictures, text, details, etc) (col 4, lines 33+). Re claims 22-23, Knowles teaches that several barcodes can be associated with an email (col 4, lines 23+). Though Buckley et al. is silent to making a decision about the contents of the email being an acceptance or a rejection, the Examiner broadly interprets the subsequent scanning of the barcode by the user, of the emailed barcodes as a form of acceptance (by scanning them), at which point the decision is sent to the remote location, as the user is automatically directed to a website, where it is well known and conventional in the art that visitors to sites are noted by the site/server (remote location) (hits for example, as a means of keeping track of web site visitors and traffic). Accordingly, it is an obvious expedient to send the decisions to a remote location (count visitors to a site) as a means to maintain the site, determine advertising success, market acceptance, track, etc. ,whether at the page or server level, both being remote locations. Such information is valuable for the websites/servers to record, for reasons set forth above.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Buckley et al. with those of Knowles.

One would have been motivated to do this in order to provide a communication in a well-known and conventional format (email) that allows users to access specific/details information off the Internet.

16. Claims 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al., as applied to claim 17 above, further in view of Paul et al.

The teachings of Buckley et al. have been discussed above, including a barcode on a communication.

Buckley et al. is silent to the code containing an auxiliary code that is scanned to automatically take an action, though Buckley does teach automatically taking an action, as discussed above, by linking to the Internet.

Paul et al. teaches a barcode that includes primary and secondary coded information in the form of glyphs and linear barcode data (abstract). The examiner interprets this to include an auxiliary code, which is scanned to automatically take an action (i.e. extraction). The examiner also notes that it is well known and conventional in the art for scanning of a code to automatically take an action, as discussed above. Re claim 28, Paul et al. teaches a dual type barcode with a first part that is interpreted by a first bar code scanning process to obtain first information and a second part which is interpreted by a second bar code scanning process to obtain second information that has more information than the first information (abstract). Re claim 29, it has been discussed above that the first part is a linear barcode and the second part is not, as it is a glyph which can include various types, (col 4, lines 56+). Further, the examiner notes that it is well known and obvious to use non-linear barcodes for secondary encoded information (see Williams US 5,920,062 and Oakeson et al. US 6,398,117, for examples).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Buckley et al. with those of Paul et al.

One would have been motivated to do this to encode more information in a barcode/communication.

17. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al./Paul et al., further in view of Lemelson et al.

The teachings of Buckley et al./Paul et al have been discussed above.

Buckley et al./Paul et al. are silent to scanning in different directions.

Lemelson et al. teaches scanning in different directions (abstract).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Buckley et al./Paul et al. with those of Lemelson et al.

One would have been motivated to do this to provide a means to efficiently read out data, store a dense amount of data, and also be downwardly compatible.

18. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al./Paul et al., further in view of Kaufman et al.

The teachings of Buckley et al./Paul et al. have been discussed above.

Buckley et al./Paul et al. is silent to second information being obtained from a color/grayscale.

Kaufman et al. teaches color being used to store information in a barcode (claims 1-8+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Buckley et al./Paul et al. with those of Kaufman et al.

One would have been motivated to do this to have a barcode (colored) to provide robustness and reliability (alternative identification means).

19. Claims 38-41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al.

The teachings of Buckley et al. have been discussed above, re claim 17, where a scanning of a barcode is used to access a website. Re claims 39-40, though Buckley et al. is silent to a 2-D and 3-D barcode, the Examiner notes that such barcodes are well known and conventional for storing more data, and accordingly, their use is well within the skill in the art for encoding a greater amount of data, and therefore an obvious expedient (Knowles US 6,622,917 FIG. 8, for example). Re claim 41, it has been discussed above that it is well known and conventional for barcodes to include different parts that include different data. Accordingly, encoded website information in one of those parts is well within the skill in the art, in order to encode website information, for linking purposes, for example.

20. Claims 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Buckley et al., as applied to claim 38 above, further in view of Knowles.

The teachings of Buckley et al. have been discussed above.

Buckley et al. teaches a barcode associated with an advertisement, but is silent to receiving an email that includes an image of a barcode associate with an advertisement and decoding the image to form information.

Re claim 42, Knowles teaches receiving an email including barcodes, printing out the barcodes and decoding the barcodes to form information (col 4, lines 23+). This is broadly interpreted to including receiving representations/images of barcodes via email. Re claim 43, though Knowles is silent to the barcodes being associated with an advertisement, it is well known that advertisements can include decodable barcodes, as discussed above, for convenience.

Therefore, such modification is an obvious expedient, and one of ordinary skill in the art would be motivated to combine the teachings of Buckley et al. with those of Knowles et al. to obtain such an expected result.

Additional Remarks

21. The Examiner has found the declaration ineffective in antedating the Swartz et al. (reasons discussed above). In an attempt to expedite prosecution, the Examiner has maintained his rejection of the claims based on the Swartz et al. references, but has also set forth additional grounds of rejection to provide the Applicant with appropriate “prior art” in the case that the Declaration is able to be perfected to be effective to antedate the Swartz et al. reference.

Conclusion

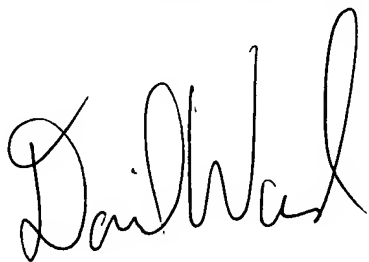
22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached between the hours of 7:30am to 4:00pm Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone numbers for this Group is (703) 308-7722, (703) 308-7724, or (703) 308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [daniel.walsh@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DW
10/17/04



KARL D. FRECH
PRIMARY EXAMINER